

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TOWNHOUSES OF CATALPA
PHASE I CONDOMINIUMS,

Plaintiff,

v.

SCOTTSDALE SUPRLUS LINES
INSURANCE COMPANY,

Defendant.

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Case No. 3:24-cv-122

Judge Thomas M. Rose

ORDER OF CONDITIONAL DISMISSAL

The Court having been advised by counsel for the Parties that this matter has been settled, and counsel for the Parties having provided approval to enter a conditional dismissal, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to the Parties, provided that any of the Parties may, upon good cause shown within 30 days, reopen the action if settlement is not consummated.

Prior to the end of the timeframe to reopen this action, the parties may submit a substitute Judgment Entry once settlement is consummated. Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375 (1994) and incorporate appropriate language in any substituted judgment entry. The undersigned also requires that, if the parties intend to preserve this Court's jurisdiction, then they must submit to the Court a copy of the fully-executed settlement agreement (either by filing it on the docket or emailing it to his chambers).

DONE and **ORDERED** in Dayton, Ohio, this Friday, September 26, 2025.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE